

Senate Amendment 5134

PAG LIN

1 1 Amend the amendment, S=5121, to House File 2282, as
1 2 passed by the House, as follows:
1 3 #1. Page 1, by inserting after line 2 the
1 4 following:
1 5 <# . Page 2, by inserting after line 9 the
1 6 following:
1 7 <Sec. . Section 372.13, subsection 2, paragraph
1 8 a, unnumbered paragraph 1, Code 2005, is amended to
1 9 read as follows:
1 10 By appointment by the remaining members of the
1 11 council, except that if the remaining members do not
1 12 constitute a quorum of the full membership, ~~paragraph~~
1 13 ~~paragraphs~~ "b" and "c" shall be followed. The
1 14 appointment shall be for the period until the next
1 15 pending election as defined in section 69.12, and
1 16 shall be made within forty days after the vacancy
1 17 occurs. If the council chooses to proceed under this
1 18 paragraph, it shall publish notice in the manner
1 19 prescribed by section 362.3, stating that the council
1 20 intends to fill the vacancy by appointment but that
1 21 the electors of the city or ward, as the case may be,
1 22 have the right to file a petition requiring that the
1 23 vacancy be filled by a special election. The council
1 24 may publish notice in advance if an elected official
1 25 submits a resignation to take effect at a future date.
1 26 The council may make an appointment to fill the
1 27 vacancy after the notice is published or after the
1 28 vacancy occurs, whichever is later. However, if
1 29 within fourteen days after publication of the notice
1 30 or within fourteen days after the appointment is made,
1 31 there is filed with the city clerk a petition which
1 32 requests a special election to fill the vacancy, an
1 33 appointment to fill the vacancy is temporary and the
1 34 council shall call a special election to fill the
1 35 vacancy permanently, under paragraph "b". The number
1 36 of signatures of eligible electors of a city for a
1 37 valid petition shall be determined as follows:
1 38 Sec. . Section 372.13, subsection 2, Code 2005,
1 39 is amended by adding the following new paragraph:
1 40 NEW PARAGRAPH. c. If concurrent vacancies exist
1 41 on the council and the remaining council members do
1 42 not constitute a quorum of the full membership, the
1 43 city clerk shall notify the mayors of the cities in
1 44 the county where the city is located and such mayors
1 45 shall, within twenty days of notification, appoint a
1 46 successor to each vacant city council office. If the
1 47 city is divided into wards, the appointee must be a
1 48 resident of the ward in which the city council vacancy
1 49 has occurred. The appointee shall serve until
1 50 qualification of the person elected at the special
2 1 election provided for in paragraph "b". If the office
2 2 of city clerk is vacant, the remaining council members
2 3 shall notify the mayors of the city council
2 4 vacancies.>>
2 5 #2. By renumbering as necessary.
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2 7
2 8 _____
2 9 DARYL BEALL
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2 12 _____
2 13 KEITH A. KREIMAN
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2 16 _____
2 17 DAVE MULDER
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2 20 _____
2 21 MARY A. LUNDBY
2 22
2 23
2 24 _____

2 25 HERMAN C. QUIRMBACH
2 26
2 27
2 28 _____
2 29 THOMAS RIELLY
2 30
2 31
2 32 _____
2 33 BRIAN SCHOENJAHN
2 34
2 35
2 36 _____
2 37 DOUG SHULL
2 38
2 39
2 40 _____
2 41 BRAD ZAUN
2 42 HF 2282.702 81
2 43 sc/gg/3672